

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA
ex rel. MICHAEL SORENSEN, et al.,

Plaintiffs

VS.

OUTREACH DIAGNOSTIC CLINIC, LLP
MUSTAPHA KIBIRIGE, MD, PA
d/b/a OUTREACH EYECARE
EMELIKE AGOMA, MD, and
MUSTAPHA KIBIRIGE, MD,

Defendants.

CIVIL ACTION NO. H-12-480

**DEFENDANTS' MOTION TO DISMISS THE UNITED STATES' AMENDED
COMPLAINT IN INTERVENTION**

Pursuant to Federal Rules of Civil Procedure 9(b), and 12(b)(6), Defendants hereby move to dismiss the United States' Amended Complaint in Intervention with prejudice. The bases for dismissal are detailed in the accompanying memorandum of law.

Pursuant to L.R.7.5, Defendants request oral argument on this motion.

WHEREFORE, Defendants respectfully request that the Court dismiss the United States' Amended Complaint in Intervention with prejudice.

Dates: July 13, 2015

Respectfully submitted,

/s/ Lara L. Silva

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CERTIFICATE OF SERVICE

On the 13th day of July, a copy of Defendants' Motion to Dismiss the United States' Amended Complaint In Intervention was filed electronically using the Court's Electronic Case Filing System. Notice of this filing will be sent electronically to counsel of record using the Court's electronic notification system. Parties may access this filing through the Court's Electronic Case Filing System.

This the 13th of July, 2015

/s/ Lara L. Silva

LARA L. SILVA
The Silva Law Firm